XXV. Environmental Impact

A. Environmental Assessment.

1. The applicant will provide the Town of Montrose with an environmental assessment (EA) of the proposed tower.

2. The EA will be included with the tower application.

3. The EA will be conducted in accordance with the Environmental Assessment Procedure as defined in the Wisconsin Administrative Code, Chapter 4.2.

B. Environmental Impact Statement

1. If the environmental assessment determines that an Environmental Impact Statement (EIS) is required, it shall be provided to the Town Board by the applicant as part of the tower application.

2. The EIS shall be accomplished in accordance the procedures contained in the Wisconsin Administrative Code, Chapter 4.3.

C. Avian Impact

1. In addition to the requirements for an EA and EIS, the applicant shall provide the Town Board with an avian impact study as part of the applicants tower application.

2. The avian impact study shall, at a minimum, identify:

a) the types and number of avian species located in the region of the proposed tower;

b) Whether or not the proposed tower site is located within a known avian migratory route;

c) The estimated avian mortality rate attributable to the tower;

d) Planned avian impact mitigation measures.

XXVI. Visual Impact Assessment

A. The applicant will be required to provide the Board with a visual impact assessment (VIA) of the proposed communication tower.

B. The VIA shall clearly show the following information:

1. All existing structures within a two (2) mile radius of the tower site.

2. All topographical features of the land within a three (3) mile radius of the tower site including hills, rivers, wetlands, wooded areas and significant geologic formations.

3. The tower will be shown superimposed on existing land use characteristics using computer generated or other graphical format visual aids.

4. The visual rendering of the project will identify the apparent tower height (degrees above the horizon) from distances of 1/8, 1/4, 1/2, 1, 2 and 3 miles and from at least three (3) directions of not less than 90 degrees apart.

5. In lieu of item XXVI.B.4, the applicant may erect a weather balloon or other similar object at the proposed tower site.

   a) The balloon will be arranged so as to float at the maximum height of the tower.

   b) The balloon will be not less than six (6) feet in diameter and will be painted or otherwise marked conspicuously.

   c) The balloon will be required to remain in place for a minimum of thirty (30) days.

XXVII. Town Board Evaluation Criteria

A. The Town Board, in its consideration of the tower application is required to consider the following factors associated with the construction of a new tower in the Town of Montrose:

   1. Environmental impact;

   2. Visual impact;

   3. Health and safety issues;

   4. Economic impact on the local community;

   5. The local interest served by the installation of the tower as compared to the intended purpose and use of the tower;

   6. The opinion of the residents of the Town of Montrose who live closest to the proposed tower site.

B. Given the unique characteristics of the Town of Montrose, including its rural character, unique geological formations, fertile agricultural land, location in avian migratory routes, and its water resources, the Town Board must find that the installation of a proposed tower provides a clear and compelling benefit to the citizens of Montrose before it can approve a tower zoning permit.

XXVIII. Applicability

A. The Town of Montrose tower ordinance supersedes all other communication tower ordinances.

B. The Town of Montrose tower ordinance supersedes all other Wisconsin State and Dane County communication tower regulations except where noted.

C. The Town of Montrose tower ordinance complies with the requirements of the 1996 Federal Telecommunications Act (47 U.S.C. 332(c))

XXIX. Definitions

A. ANSI C-95.1 - The most recently adopted standard of the American National Standards Institute which establishes guidelines for human exposure to non-ionizing electromagnetic radiation.

B. Antenna - Any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennas, such as panels, microwave

dishes, and satellite dishes, and omni-directional antennas, such as whip antennas.

C. Building Code - means the most recently adopted or amended Dane County Building Code.

D. Building Code - means the most recently adopted or amended Dane County Building Code.

E. Communication tower - A structure that is used primarily as a communication antenna or as a communications antenna support structure.

F. Effective tower height - The distance from the highest point of rigid, non-guyed support to the top of the highest appurtenance mounted on the tower.

G. EIA-222 - Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures."

H. FAA - The Federal Aviation Administration.

I. FCC - The Federal Communications Commission.

J. Free standing tower - A tower which has the tower base as the only or primary means of resisting the designed tower loads.

K. Guy supported tower - Means a tower which requires the use of flexible guying cables or wires as the only or principle means of resisting the designed tower loads.

L. Commercial Wireless Telecommunication Services - Licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

M. Non-commercial communications tower - A tower used for purposes in which there is no commercial gain, i.e. amateur radio, Civil Air Patrol, Red Cross, etc.

N. Tower - Any ground or roof mounted pole, spire, structure, or combination thereof taller than 15 feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

O. Tower Height - The distance between the ground which the tower or tower base sits and the top of the highest appurtenance mounted on the tower.

P. Tower, Multi-User - A tower to which is attached the antennas of more than one commercial wireless telecommunication service provider or governmental entity.

Q. Tower, Single-User - A tower to which is attached only the antennas of a single user, although the tower may be designed to accommodate the antennas of multiple users as required in this Code.